

MINUTES OF THE MEETING
OF THE
CITY PLAN COMMISSION

TUESDAY, May 5, 2015

The City Plan Commission held its regular meeting on Tuesday, May 5, 2015 in the Council Chambers on the 26th Floor of City Hall. The following members were:

PRESENT

Ms. Babette Macy	Chairwoman
Rev. Stan Archie	Vice Chair
Ms. Margaret J. May	Member
Ms. Bobbi Baker-Hughes	Member
Ms. Trish Martin	Member
Mr. Coby Crowl	Member
Ms. Diane Burnette	Member

ABSENT

Mr. Enrique Gutierrez	Member
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ALSO PRESENT

Mr. John Eckardt	Acting Assistant Secretary
Mr. Olofu Agbaji	Staff
Mr. Joseph Rexwinkle	Staff
Ms. Ashley Winchell	Staff
Ms. Angela Ely	Staff
Ms. Marty Campbell	Recording Secretary
Ms. Maggie Moran	Legal Counsel
Mr. Wei Sun	Public Works
Mr. Brett Cox	Land Development

Chairwoman Macy called the meeting to order at 9:10 A.M.

RE: Case No. SD 1053M, Final Plat, The Village Tenth Plat

APPLICANT: Brett Haugland
Continental Consulting Engineers
9000 State Line Road
Leawood, Kansas 66206

PROPERTY OWNER: Suburban Land Reserve
79 S. Main Street, Suite 500
Salt Lake City, Utah 84111

REPRESENTATIVE: Same as applicant

AREA/LOCATION: 18.06 acres located south of M-152, east of NE Shoal Creek
Parkway and north of NE 82nd Terrace

REQUEST: To approve a final plat creating four Retail/Residential lots in
District SD (Shoal Creek)

Mr. John Eckardt, Acting Assistant Secretary entered the staff report into the record and stated that Mr. Brett Haugland, 9000 State Line Rd, had signed the consent agenda and agreed to all the conditions in the staff report .

Chairwoman Macy opened discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE SD SD1053M SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the developer revise the plat in the following manner:
 - a. Further recommendations and/or corrections of the Land Development Division.
 - b. Show proposed sanitary sewer easements to serve Lot 2.
2. That the developer submit a separate traffic study for each neighborhood plan prior to submission of the plan as required by the Department of Public Works for approval. The traffic study will analyze both AM and PM peak hour traffic demand, identify improvements which the developer will be required to make in order to maintain a level of service D or better and shall not exceed the following trip budget maximums: (Based upon May 8, 2008 Village Neighborhood Transportation Impact Analysis By LSA Assoc.)

<u>Neighborhood</u>	<u>PM Trip Budget</u>
Northpark	800
Parkside	755
The Commons/Crossroads Area	6,470
The Creekside Area	1,150
The Preserve	1,030
<u>The Village</u>	<u>4,250</u>
Total:	14,455 (Per 2010 Community Plan Update)

Note: Trip budgets are defined as the maximum number of PM peak hour traffic entering and exiting a neighborhood. The developer shall construct the improvements which are required by the approved traffic studies for each neighborhood plan and as required by the Department of Public Works. Trip budgets are to be based on the following PM peak hour trip rates:

<u>Land Use Type</u>	<u>Trip Rate</u>	<u>Unit</u>
SF Household	0.95	Households
MF Household	0.57	Households
Office	1.48	Thousand Gross SF
Retail	3.45	Thousand Gross SF
Industrial	0.47	Thousand Gross SF
School (option 1)	0.15	Students
School (option 2)	3.13	Thousand Gross SF
Hotel	0.54	Rooms

For land uses not listed above, rates from *Trip Generation* published by the Institute of Transportation Engineers (ITE) are to be used.

3. That the developer provide right-of-way for and construct all improvements to the State highway system as recommended in the approved Shoal Creek Valley Community Plan traffic study and in future approved neighborhood traffic studies (including improvements to the intersections of Shoal Creek Parkway with the I-435 freeway ramps, and the intersections of MO-152 with Shoal Creek Parkway, and N. Booth Avenue), as required by MODOT.
4. That the developer provide right-of-way for and construct all improvements to Parkways and Boulevards within the plan area as recommended in the approved Shoal Creek Valley Community Plan traffic study and in future approved neighborhood traffic studies, as required by the Department of Parks and Recreation and the Public Works Department.
5. That the specific improvements to the state highway system recommended in the Shoal Creek Valley Community Plan traffic study be detailed in separate future traffic studies for each of the Shoal Creek neighborhood plans and that these improvements be constructed either before or at the same time as the recommended mitigation measures

for movement of internal traffic in the neighborhood plans, as required by the Public Works Department.

6. That the developer provide adequate intersection sight distance at all proposed street intersections.
7. That the developer install traffic signals, as recommended in the approved Village Neighborhood traffic study, at the intersection of NE 82nd Terrace and N Flintlock Road and provide traffic signal coordination on Flintlock Road between MO-152 and NE 82nd Terrace, at such time as warrants for traffic signals are satisfied, as required by Public Works Department. (Currently under contract for installation 2015)
8. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.
9. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
10. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
11. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
12. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
13. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
14. That the developer dedicate the public parkland or private open space as provided in the Master Planned Community Plan provided that the developer shall contribute \$233.31 per single family unit, \$189.17 per duplex unit and \$126.11 per multi-family unit in compliance with Section 66-128 of the Subdivision Regulations, less any dedicated public park or approved private open space.

15. That the developer submit a street tree planting plan as part of the final plat, secure the approval of the City Forester for street trees planted on right-of-way in front of residential lots with a copy to be submitted to the City Development Department staff, and plant the street trees in conformance with the plan approved by the City Forester. The plan shall include size, type, species and placement of trees.
16. That the developer extend water mains as required by the Water Services Department at the time of the submittal of the final plats.
17. That the developer install sidewalks along the south side of M-152 within the M-152 right of way from Shoal Creek Parkway on the west to NE Flintlock Road on the east as required by the Missouri Department of Transportation or provide an acceptable walkway system on private property within a public easement along the south M-152 right of way as required by the City Planning and Development Department, and further that the Village Neighborhood Plan sheets dealing with this walkway be revised to include the walkway system as required.
18. That the developer submit a final plan to the City Plan Commission for approval, including plans for landscaping (buffering), grading, signage, building elevations and lighting, including a photometric study showing zero footcandles at the property line, prior to the issuance of any building permits.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: SD 1070C, Final Plat, Hollyday/ Raymond

APPLICANT: Brian McMulin, Trust Executor
1510 S. Cedar
Belton, MO 64012

OWNER: Bernard R. & Donna D. Hollyday Trust
1510 S. Cedar
Belton, MO 64012

AGENT: Sam Aylett
Aylett Surveyor Co.
201 NW 72nd Street
Gladstone, MO 64118

LOCATION: Generally located a quarter-mile south of E. 87th Street on the west side of Rhinehart Road in the City of Kansas City and Unity

Village.

AREA: Approximately 10 acres.

REQUESTS: To consider approval of an inter-jurisdictional final plat in District R-80 (Residential dash 80), within the City of Kansas City and Unity Village, creating two residential lots.

Mr. John Eckardt, Acting Assistant Secretary entered the staff report into the record and stated that Mr. Jason Robbins, Aylett Survey Co, 201 NW 72nd Street, Gladstone, Missouri 64118 had signed the consent agenda and agreed to all the conditions in the staff report.

Chairwoman Macy opened discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE SD SD1070C SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That plat be revised to show:
 - a. All corrections identified in the Land Development Division final plat checklist.
 - b. Show the recording information for the existing conservation easement that is referenced on the ownership report.
 - c. The ingress/egress easement (Doc. 10022910, Book 12828 Page 1435) and the gas easement (Doc. 710493) shown as 'existing' on the plat drawing shall match the ownership report.
 - d. Add the City Plan Commission approved date once the plat has been recommended for approval by the City Plan Commission.
 - e. Use the City's standard revised signature block. (See the attachment.)
 - f. Add the name and address of the developer and label as the 'Developer'.
2. Further revisions and/or corrections of Land Development Division.
3. That the developer secure approval from Unity Village prior to Mylar approval by KCMO.
4. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
5. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
6. That the developer pay money in lieu of open space dedication in the amount of \$746.61 for the additional residential unit proposed; the contribution is based on the 2014 contribution rate of \$16,815.50 per acre.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: **SD 1447B – Final Plat, Village at Burlington Creek – Second Plat**

APPLICANT: Brett Powell
NP VBC Senior, LLC
5015 NW Canal St., Ste 200
Riverside, MO 64150

OWNER: Same as Applicant

APPLICANT'S REPRESENTATIVE: Renaissance Infrastructure Consulting
Attn: Mick Slutter
5015 NW Canal St., Ste 200
Riverside, MO 64150

LOCATION: Generally located at the southeast quadrant of NW 64th Street and N Cosby Avenue

AREA: About 14 acres

REQUEST: To approve a final plat creating one residential lot and two tracts in District MPD (Master Planned Development).

Mr. John Eckardt, Acting Assistant Secretary entered the staff report into the record and stated that Mr. Gabe Vogel, Rosemann & Associates, 1526 Grand Blvd., Kansas City Missouri had signed the consent agenda and agreed to all the conditions in the staff report.

Chairwoman Macy opened discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE SD SD1053M SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the developer revise the plat in the following manner:
 - a. Further recommendations and/or corrections of the Land Development Division.
 - b. Easement Dedication Language:

- Delete the 'Easement Dedication' language if utility easements are not being dedicated by this plat.
 - Use the city's standard easement language for any proposed drainage, sewer and water main easements. (Use only the languages that would apply to this plat. See the attachment.)
 - c. Maintenance of Tracts Language:
 - Use the city's standard language for the off-site detention tract, if applicable, and verify the actual name of the agreement with Review Engineer Brett Cox who can be reached at 816-513-2509.
 - d. Parkland Language:
 - Add language stating how the parkland requirement will be or has been satisfied. The statement should include the number and type of units and the amount of private open space required to satisfy the parkland requirement for this plat.
 - e. Plat Heading:
 - Reference 'Final Plat of ...' in the heading.
 - f. Street Dedication Language:
 - Delete the 'Street' dedication language if right of way is not being dedicated by this plat.
 - g. Street Light Language:
 - Reference the correct name of the agreement.
 - h. Plat Drawing: Legend
 - * Define Plat Bk H Pg 102 in the legend per the recorded plat of The Village Fifth Plat Lots 1A & 2A. (Per the legend, the easements from the recorded plat of The Village Fifth Plat Bk G Pg 121 do not appear to be referenced on the plat.)
 - i. Lot dimensions and bearings:
 - One of the distances on Lot 4 is slightly different (154.35) than what it was on the previously recorded plat (154.34.)
 - j. Other:
 - The proposed final plat drawing must be in compliance with the approved preliminary plat/plan.
 - Further revisions and/or corrections as required by Development Services.
 - k. Signature Block:
 - Add the City Plan Commission recommended approval date from the City Plan Commission disposition letter sent to you by the City Planner.
 - Use the City's standard revised signature block. (See the attachment.)
 - l. Street Right of Way:
 - Label and identify the centerline of N. Tullis Ave.
2. Further recommendations and/or corrections of the Land Development Division.
3. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division, in accordance with adopted standards, including a BMP level of service analysis prior to approval and issuance of any building permits, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to issuance of any certificate of occupancy.

4. The developer shall verify vertical and horizontal sight distance for the drive approaches and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
5. The developer must construct 5 foot sidewalks along all street frontages adjacent to Tracts at the time of platting or at the time of Building Permit for each lot, as required by the Land Development Division.
6. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
7. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
8. The developer submit plans to Land Development Division and obtain permits to construct 5 foot sidewalks along the platted frontage adjacent to Tracts, at the time of platting or at the time of Building Permit for each lot, as required by the Land Development Division.
9. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
10. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
11. The developer must grant a BMP and/or Surface Drainage Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
12. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to building activities on the site, in accordance with the Section 88-415 requirements.
13. The developer must show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year flood prone area on any plat and plan, as required by the Land Development Division.

14. The developer must enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by the Land Development Division, prior to recording the plat.
15. That the developer contribute \$17,151.81 or a rate of \$201.79 per unit, in lieu of parkland dedication for 85 multifamily units in satisfaction of Section 88-405-17 of the Zoning and Development Code, calculated as follows:
 - * 85 residential units x 2 people/unit x 0.006 acres/person = 1.02 acres
 - * 1.02 acres \$16,815.50/acre = \$17,151.81 or \$201.79 per unit.
16. That the developer install fire hydrants as required by the Fire Marshal's Office.
17. That the developer extend, relocate and abandon private and public water mains as required by Water Services Department staff.
18. That the developer relocate and abandon sanitary sewer mains as required by Water Services Department staff.
19. That the developer provide water and sanitary sewer easements as required by Water Services Department staff.
20. That the developer provide wider easements for existing water and sanitary sewer mains as required by Water Services Department staff.
21. That within 30 days of approval of a preliminary development plan by the city council, the landowner must file with the appropriate recorder of deeds office a statement that such a plan: (1) has been filed with the city plan commission; (2) has been approved; (3) that the MPD preliminary development plan is applicable to certain specified legally-described land; and (4) that copies of the plan are on file in the city planning and development department. The statement recorded with the recorder of deeds must also specify the nature of the plan, the proposed density or intensity of land use and other pertinent information sufficient to notify any prospective purchasers or users of the land of the existence of such a plan and further include all information as required by Section 88-520-03-H.

Motion carried 7-0

VOTING AYE:	Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY:	None
ABSENT:	Gutierrez

CASE NO. 12214-SR-15

APPLICANT: Tom Skiam

Reaching Solutions
15735 S. US 169 Hwy #16
Olathe, KS 66085

OWNER: H & R Block
5029 Independence Avenue
Kansas City, MO 64125

TENANT: H & R Block
5029 Independence Avenue
Kansas City, Missouri 64125

LOCATION: 5029 Independence Avenue

ZONING DISTRICT: B3-2

ISSUE: Signage

Ms. Angela Ely, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Tom Schwein; agreed with the staff report.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition to this matter.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **APPROVE Case No. 12214SR15.**

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: a) **Case No. 6608-P-5**
b) **Case No. 6608-P-6**

APPLICANT/ OWNER: Mohammad AbuAshbah
Prince Auto, LLC
10612 Blue Ridge Boulevard
Kansas City, MO 64134

AGENT: Khalid Banday

KAM Design & Construction, Inc.
9000 E. Bannister Rd., #100
Kansas City, MO 64134

LOCATION: 10612 Blue Ridge Boulevard - Generally located on the west side of Blue Ridge Boulevard, approximately 200 feet north of E. 107th Street.

AREA: About 0.6 acres.

ZONING: B3-2 (Community Business dash 2).

- REQUESTS:**
- a) **Case No. 6608-P-5-** To consider an amendment to an existing Chapter 80 approved preliminary development plan in District B3-2 (Community Business dash 2), to delete the existing chapter 80 plan.
 - b) **Case No. 6608-P-6 -** To consider approval of a development plan in lieu of a Special Use Permit pursuant to Chapter 88-517-12-D, in District B3-2 (Community Business dash 2), to allow for vehicle sales and service.

Quorum: Archie, Baker-Hughes, Crowl, Gutierrez, Martin, May, and Macy.

Commissioner Diane Burnette recused.

Mr. Olofu Agbaji, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant;

They had been working closely with the City; the property was in horrible condition; some of the problems had been internally with the company; but that was still a working project and all plans would be completed and make the changes to do whatever would be necessary to get approved.

Chairwoman Macy opened up the discussion to the public.

Ms. Carol McClure; there again regarding the request; they met with them but they only had one black and white rendering which was very small and hard to see; they finally received a drawing from City staff after the meeting; still they had reservations; she went by the site before their meeting and there was still trash on the site, the marquee was still up; along with the lots of cars on the property more than you would see for just a tire repair shop. They stood by the Blue Ridge Corridor Plan and the Hickman Mills Area Plan, both adopted by the City making Blue Ridge Boulevard a gateway to their community and improving the surrounding areas and they were again, asking the request be denied.

Mr. Alexander Gomez; was confused about the easement.

The Commissioners asked Mr. Agbaji to pull up the photographs; and it was discussed on the exact location of the easement.

Chairwoman Macy stated they were talking that he would have access to the easement; they could put a curb on their property; so where the driveway was on their property he wouldn't be able to go through their property.

Ms. Gomez, she was concerned about all the cars that were there;

Chairwoman Macy stated that where those cars were parked (looking at the picture) that was their property so they could park there; that was not the easement; the easement was where the telephone pole was being shown. For their purposes there, they wouldn't be able to cross into that property to get out that drive; they could park their cars there because it was their property; the easement was right where that telephone pole was and they would have to move the telephone pole.

Chairwoman Macy stated she didn't feel they had represented the applicant well; the Commission had asked for an updated landscaping plan the last time they were there and not to come before them again without one and now, they were there and there was no landscape plan; it was his obligation to represent his client; those things should have been completed especially when they had continued the case to get those things done. The easement issue had been an issue from the very beginning and with the neighborhood it had been an issue from the very beginning.

Commissioner May asked Mr. Agbaji if there was an updated landscaping and lighting plan.

Mr. Agbaji stated no.

Commissioner May added she was in agreement with Chairwoman Macy being uncomfortable in moving forward with the plan due to the many times they had asked for things to be done and they hadn't been.

Vice Chair Archie stated that if it were continued would it be possible that staff wouldn't bring this to us again without everything being done.

Mr. Agbaji stated he could do that.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **CONTINUE** these matters to the June 2, 2015 meeting date with one \$130.00 fee (With Testimony – **Quorum Set: Archie, Baker-Hughes, Crawl, Martin, May and Macy**)

Motion carried 6-0

VOTING AYE: Archie, Baker-Hughes, Crawl, Martin, May, and Macy

VOTING NAY: None
RECUSED: Burnette
ABSENT: Gutierrez

RE: Case No. 6469-P-9

APPLICANT/ OWNER: John Modest Miles
1801 E. 60th Terrace
Kansas City, MO 64110

AGENT: Anthony Davis
Diggs Construction
1001 E. 101st Terrace
Kansas City, MO 64131

LOCATION: Generally located north of E. 63rd Street, on the north and east sides of Citadel Drive (between Brooklyn Avenue on the east and Blue Hills Road on the west).

AREA: Approximately 77 acres.

REQUESTS: To consider a request to amend a previously approved Chapter 80 CUP plan in District MPD (formerly District R-0.5 and R-1.5) to allow for the deletion of 1.31 acres (4-duplexs) from the Community Unit Plan.

Mr. Olofu Agbaji, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Reverend John Modest Miles wanted to build one level building due to his age; agreed with staff report and recommendations and requested their approval.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Crawl seconded the motion to **APPROVE Case No. 6469-P-9 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing

/all listed sheets), revised as noted, be submitted to Development Management staff, prior to ordinance request showing:

g. Four (4) single family residential lots in place of the 4-duplex units.

h. Recorded cross access easement document number for the adjoining properties to the west and south.

2. Conditions of approval of Ordinance No. 980311, passed by City Council on April 15, 1998 (Case No. 6469-CUP-5).
3. That the developer submit a revised/ updated overall Citadel development plan that shows the updated development data including phasing to Development Management Division prior to ordinance request.
4. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
5. The developer shall submit a street tree planting plan prior to or concurrent with the submittal of the final plat and secure the approval of the City Forester for street trees planted on right of way in front of residential lots, with a copy to be submitted to the Department of City Development. The plan shall include size, type, species and placement of trees. The developer shall agree to plant in accordance with the plan approved by the City Forester.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy

VOTING NAY: None

ABSENT: Gutierrez

RE: a) **Case No. 13381-CUP-3**
b) **Case No. 13381-CUP-4**

APPLICANT/ OWNER: Chris Valentine
Trophy Homes, Inc.
6601-A Royal Street
Pleasant Valley, MO 64058

AGENT: Brian Forquer
Lutjen, Inc.
1301 Burlington Street, #100
N. Kansas City, MO 64116

LOCATION: Generally located at the northwest corner of NE Barry Road and N. Brighton Avenue.

- AREA:** About 45 & 18 acres.
- ZONING:** Districts R-6 & R-80 (Residential dash 6 & 80).
- REQUESTS:**
- a) **Case No. 13381-CUP-3-** To consider an amendment to an existing Chapter 80 CUP plan in District R-6, (formerly District R1b) to allow for the deletion of 18.12 acres from the plan.
 - b) **Case No. 13381-P-4 -** To consider rezoning the 18.12 acre parcel from District R-6 to District R-1.5 (Residential dash 1.5).

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the July 7, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **CONTINUE** this matter to the July 7, 2015 meeting date without fee (Without testimony – No Set Quorum).

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

- RE:** **Case No. 594-S-2**
- APPLICANT:** Al Figuly
Planned Industrial Expansion Authority
20 E 5th Street, Suite 200
Kansas City, Missouri 64106
- AGENT:** Same.
- LOCATION:** Generally bounded by W. 34th Street on the north, W. 36th Street on the south, Wyandotte Street on the east and Pennsylvania Avenue on the west.
- AREA:** About 12 acres.
- ZONING:** B4-5 & UR
- REQUESTS:** To consider approval of the approval of the Second Amended and Restated Ellison/Knickerbocker PIEA General Development Plan,

and declare the area blighted and insanitary and in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Authority (PIEA) Law 100.300-100.620.

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the July 7, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Baker-Hughes seconded the motion to **CONTINUE** this matter to the May 19, 2015 meeting date without fee (Without testimony – No Set Quorum).

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: Case No. 13896-SU-1

APPLICANT/ AGENT: Riad Baghdadi
RB Architecture
10107 W 105th Street
Overland Park, KS 66217

OWNER: ARKE LLC
14923 Benson Street
Overland Park, KS 66212

LOCATION: 4300 Indiana Avenue - Generally located at the southwest corner of E 43rd Street and Indiana Avenue

AREA: About 0.388 acres

ZONING: B1-1

REQUESTS: To consider approval of a request for a Special Use Permit in District B1-1, to allow for the addition of a gas station to an existing convenience store, plus any necessary variances.

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the June 2, 2015 meeting date with one \$130.00 continuance fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **CONTINUE** this matter to the June 2, 2015 meeting date with one \$130.00 fee (Without testimony – No Set Quorum).

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: a. **Case No. 673-S-4**
 b. **Case No. 10053-MPD-8**

OWNER/APPLICANT: Ellen Todd
 Curry Investment Company
 2700 Kendallwood Pkwy
 Gladstone, MO 64119

AGENT: Patricia R. Jensen
 White Goss
 4510 Belleview Ave, Suite 300
 Kansas City, MO 64111

LOCATION: Generally located at the southwest corner of N Brighton Ave and
 NE Pleasant Valley Rd.

REQUESTS: a. To consider approval of an amendment to the Briarcliff-Winwood
 Area Plan by changing the recommended land use from Mixed
 Use Neighborhood and Residential Low-Density to Mixed Use
 Neighborhood.
 b. To consider rezoning from District B2-2 (Neighborhood Business
 2) and R-80 (Residential 80) to District MPD (Master Planned
 Development) and approval of a preliminary development plan
 for 86,370 sq. ft. of commercial uses and 210 multi-family
 residential units.

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the June 2, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **CONTINUE** this matter to the June 2, 2015 meeting date without fee (Without testimony – No Set Quorum).

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: Case No. 14515-P-1

AGENT: Patricia R. Jensen c/o Elaine Bowers
White Goss Bowers March Schulte & Weisenfels
4510 Belleview, Ste. 300
Kansas City, MO 64111

APPLICANT/ OWNER: John E. and Karen Teeter
13200 N Robinhood Lane
Kansas City, MO 64164

LOCATION: Generally located at the northwest corner of N Robinhood Ln and NW 128th Street.

AREA: Approximately 70.648 acres.

REQUESTS: to consider approval of a development plan in District AG-R (Agricultural-Residential) to allow continued operation of a dirt contractor/top soil business.

Ms. Ashley Winchell, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Ms. Patricia Jensen, White Goss Law Firm; there on behalf of the applicants; the former quarry existed since the early 70s and he had operated his business there since 1982 and had been issued a business license from the City since that time. During those years there had been on and off investigations and Mr. Peters had shown the City investigators what was taking place at the site and was never cited until recently until 2014. The gentlemen who made the complaint there in the audience and he lived about 4 miles to the south of the property; his complaint had more to do with traffic/truck traffic in the area.

They put together a plan to have the Commission and the City Council determine that the use was appropriate in that area; that was on the very fringes of the City limits; it was a very rural, agricultural area; there were a number of large acreages owned by people around the site and had large farming operations that also produced a lot of large truck traffic and tractor traffic on the adjacent road.

They were in agreement with the conditions contained in the staff report; they were requesting a refund of \$2500 due to the amount of fee paid at the time of the application being it was figured for the whole acreage when they were only really looking at just a few acres; it was a significant fee and certainly not easily affordable with a small business.

Chairwoman Macy opened up the discussion to the public.

Officer Mills, undersheriff of Jackson County; there today as a private citizen; counsel was wrong about him being the complaining party; 144 loaded dump trucks from a firm over in Kansas negotiating the roadway of Robinhood Lane between 108th and Mr. Teters property. Subsequent to that one day's operation, Robinhood Lane at his address was physically destroyed; it required the street department to respond out and to rebuild the roadway the entire width of the roadway for over 80 meters from his driveway along with two other residences. Robinhood Lane was a rural, farm land; a chip and seal road with no underlay and those were industrial loaded dump trucks making repeated trips from 7 a.m. to 7 p.m. The residents on Robinhood Lane considered the continued use of those dump trucks not only dangerous but a continuing nuisance and urged them to deny the request.

Mr. Teters responded that the day in questions he was helping another company remove some excess soil from a job site; yes there were many trucks that went by his house but only for one to two days and then the job was complete. He agreed the street was tore up; he had operated for 32 years and never had a problem with the street; his trucks didn't weigh that much because he was hauling top soil.

Ms. Jensen stated that Mr. Teters would comply with any weight limits put on the streets.

Mr. Wei Sun stated he was aware of the many times that Robinhood Lane had to be repaired substantially, didn't see any reason to restrict the truck traffic; they would keep performing the maintenance; in his opinion the size of the trucks was okay.

DISCUSSION:

Vice Chair Archie brought up the applicant's request for waiving the total fees "in the interest of justice" read from the Code; being that the full fee paid was on the whole acreage owned by the applicant not just the area in question.

Chairwoman Macy stated she felt it was the cost of doing business and specifically, if their business had caused harm to the roadway it was their business that had caused the issue and the cost of doing business and she thought they should keep the full fee.

Commissioner Martin agreed.

Commissioner May stated she worked with a non-profit organization doing a development and they had to pay the fee.

Commissioner May moved to not waive the fee for the applicant; there was no seconded and she withdrew her motion therefore no action.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 14515-P-1 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That five (5) collated, stapled and folded copies (and a CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff (15th Floor, City Hall), prior to closing the notice of violation:
 - a. A clearer aerial background image.
 - b. A more legible boundary for top soil business.
 - c. Indicate if there is any outdoor storage and what is being stored.
 - d. Footprints of existing buildings on the site.
 - e. Better describe the top soil business and activities to take place on the site.
 - f. Provide dimensions to property lines and area of land in which top soil business activities take place.
 - g. Amend label to "Former Quarry"
 - h. Amend note to state that vehicles, outdoor storage and debris will be removed.
 - i. Label the streets.
 - j. The address of the property.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: Case No. 13896-SU-1

APPLICANT/ AGENT: Riad Baghdadi
RB Architecture
10107 W 105th Street
Overland Park, KS 66217

OWNER: ARKE LLC
14923 Benson Street
Overland Park, KS 66212

LOCATION: 4300 Indiana Avenue - Generally located at the southwest corner of E 43rd Street and Indiana Avenue

AREA: About 0.388 acres

ZONING: B1-1

REQUESTS: To consider approval of a request for a Special Use Permit in District B1-1, to allow for the addition of a gas station to an existing convenience store, plus any necessary variances.

Commissioner Archie stepped out of the meeting.

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the June 2, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Crowl moved and Commissioner May seconded the motion to **CONTINUE** this matter to the June 2, 2015 meeting date without fee (Without testimony – No Set Quorum).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy

VOTING NAY: None

ABSENT: Archie, Gutierrez

RE: Case No. 14555-MPD

APPLICANT: Dave Harrison
51st & Oak, LLC
4900 Main Suite
Kansas City, MO 64112

PROPERTY OWNER/S: The Curators of the University of Missouri
316 University Hall
Columbia, MO 65211

AGENT: Leah Fitzgerald
Van Trust Real Estate
4900 Main Street #400
Kansas City, MO 64118

LOCATION: Generally located south of E 51st Street between Brookside Boulevard and Oak Street

AREA: About 2.84 acres

REQUESTS: About 2.84 acres generally located south of E 51st Street between Brookside Boulevard and Oak Street, to consider rezoning the site from District B 3-2 (Community business (dash2)) to District MPD (Master Planned Development) and the approval of a Development

Plan for a multilevel structure containing a grocery store, retail sales, offices, residential uses and parking.

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the May 19, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Crowl moved and Commissioner May seconded the motion to **CONTINUE** this matter to the May 19, 2015 meeting date without fee (Without testimony – No Set Quorum).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: a) Case No. 673-S-3
b) Case No. 5928-MPD-7

APPLICANT: Curry Investment Company c/o Ellen Todd
2700 Kendallwood Pkwy.
Gladstone, MO 64119

PROPERTY OWNER: Same as Applicant

**APPLICANT'S
REPRESENTATIVE:** Patricia R. Jensen, Esq. c/o Elaine Bowers
White Goss, a Professional Corporation
4510 Belleview Avenue, Ste. 300
Kansas City, MO 64111

AREA: About 26 acres

LOCATION/REQUEST: a) Case No. 673-S-3 – To consider a request to amend the Briarcliff-Winnwood Area Plan, on about 26 acres generally located south of NE Englewood Road, west of N Antioch Road and east of N Garfield Avenue, by changing the recommended land use from Residential – Medium Density to Mixed-Use Neighborhood for the commercial portion of the project and Residential High in the residential portion.

b) Case No. 5928-MPD-7 – About 26 acres generally located south of NE Englewood Road, west of N Antioch Road and east of N Garfield Avenue, to consider rezoning the site from Districts R-2.5

(Residential 2.5) and R-6 (Residential 6) to District MPD (Master Planned Development) and the approval of a Development Plan for commercial and residential uses.

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the June 2, 2015 meeting date with one \$130.00 fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Martin moved and Commissioner Baker-Hughes seconded the motion to **CONTINUE** this matter to the June 2, 2015 meeting date with one \$130.00 fee (Without testimony – No Set Quorum).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Archie, Gutierrez

RE: Case No. 254-S-304 (26)

APPLICANT: Councilperson Ed Ford

PROPONENT: Board of Parks and Recreation Commissioners

REQUEST: Case No. 254-S-304 -- Amending Chapter 88, Zoning & Development Code, Sections 88-110-03-G, 88-120-03-G, 88-130-04-G, 88-140-03-G (all titled “Special Standards Adjacent to and within 150 feet of Parks, Boulevards, and Parkways”), Tables 110-1 (Residential Districts Use Table), 120-1 (Office, Business, and Commercial Districts Use Table), 130-1 (Downtown Districts Use Table) and 140-1 (Manufacturing Districts Use Table); Sections 88-310 Adult Businesses and Adult Media; 88-325 Short-Term Loan Establishments, 88-331 Day Labor Employment Agency, 88-335 Detention and Correctional Facilities, 88-340 Drive-Through Facilities, 88-375 Vehicle Storage and Towing, and adding Sections 88-323 Boulevard and Parkway Standards and 88-450 Pedestrian Standards – to add restrictions and standards for uses located adjacent to and within 150 feet of parks, boulevards and parkways and to clarify the applicability of the *Boulevard and Parkway Standards* to property under the jurisdiction of the Board of Parks and Recreation Commissioners.

Archie returned to meeting/then recused

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the June 2, 2015 meeting date without fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Martin moved and Commissioner May seconded the motion to **CONTINUE** this matter to the June 2, 2015 meeting date without fee (Without testimony – No Set Quorum).

Motion carried 6-0

VOTING AYE:	Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY:	None
RECUSED:	Archie
ABSENT:	Gutierrez

RE: **SD 1167F – Final Plat, Replat of Beacon Hill Townhomes
Block 2, Lots 1 and 2**

APPLICANT: Dan F. Musser, Newmark Grubb Zimmer, 1220 Washington, Suite 100, Kansas City, MO 64105

PROPERTY OWNER: Beacon Hill Developers, LC, 1220 Washington, Suite 100, Kansas City, MO 64105

FIRM PREPARING PLAT: Taliaferro & Browne, Inc., Rick Gard, 1020 E. 8th Street, Kansas City, MO 64106

LOCATION: On the north side of Beacon Hill Lane, between Forest Avenue and Tracy Avenue.

AREA: About 0.53 acres

REQUEST: To approve a final plat creating six (6) residential lots in District UR Urban Redevelopment District.

Archie recused.

Mr. John Eckardt, Acting Assistant Secretary, requested these matters be continued to the May 19, 2015 meeting date with one \$130.00 fee.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Commissioner Martin moved and Commissioner Baker-Hughes seconded the motion to **CONTINUE** this matter to the May 19, 2015 meeting date with one \$130.00 fee (Without testimony – No Set Quorum).

Motion carried 6-0

VOTING AYE: Baker-Hughes, Burnette, Crowl, Martin, May, and Macy
VOTING NAY: None
RECUSED: Archie
ABSENT: Gutierrez

RE: a. **Case No. SD-1504 – Summit View Farms, 2nd Preliminary Plat**
 b. **Case No. SD-1504A – Summit View Farms, 2nd Final Plat**

OWNER: William P. Kenney
 Summit View Farms Development Group, LLP
 PO Box 291
 Lee's Summit, MO 64063

APPLICANT: Dan McGhee
 HDR Engineering, Inc.
 3471 NE Troon Dr
 Lee's Summit, MO 64064

LOCATION: Generally located south of E 139th St about 1,000 ft east of
 Horridge Rd.

REQUESTS: a. To consider approval of a preliminary plat creating one (1)
 stormwater tract in District R-80 (Residential 80).
 b. To consider approval of a final plat creating one (1) stormwater
 tract in District R-80.

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Dan McGee, KCR Engineering; there were lots there platted and then they amended a 1st plat with the City of Lee's Summit which they have approved; this plat is to support approximately 50 lots; agreed with the staff report and all conditions.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE** The City Plan Commission meeting in regular session on May 5, 2015, **APPROVED** the above-referenced

Case SD-1504, subject to the following conditions:

1. That the developer revises the plat as follows:
 - a. Provide a Preliminary Stream Buffer Delineation plan.
 - b. Revise the Right-of-Way dedication for E 139th St to show 50 ft from centerline.
2. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
3. The developer must submit a Micro storm drainage study, including a BMP level of service analysis, to the Land Development Division for review and acceptance when the first plat infrastructure improvements are submitted, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat.
4. The developer must dedicate additional right of way for E 139th Street as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 50 feet of right of way as measured from the centerline, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department adjacent to this project.
5. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
6. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
7. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
8. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
9. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
10. The developer shall submit a preliminary buffer plan prior to approval of the Preliminary Plat in accordance with the Section 88-415 requirements.
11. The developer shall submit a final stream buffer plan to the Land Development Division for approval and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones, in accordance with the Section 88-415 requirements, prior to recording the Final Plat.
12. The developer must show and label the final stream buffer zones on the subdivision plat

within a private open space tract, as required by Chapter 88 and Land Development Division, prior to recording the Final Plat.

13. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.
14. The developer must show the limits of the 100-year floodplain on the final plat, as required by the Land Development Division.
15. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

At the same meeting, the City Plan Commission **RECOMMENDED APPROVAL** of the above referenced Case SD-1504A, subject to the following conditions:

1. That the developer revises the plat as follows:
 - a. Revise the Right-of-Way dedication for E 139th St to show 50 ft from centerline.
 - b. Provide street grades for E 139th St.
2. The developer must submit a Micro storm drainage study, including a BMP level of service analysis, to the Land Development Division for review and acceptance when the first plat infrastructure improvements are submitted, and that the developer secure permits to construct any improvements as required by the Land Development Division prior to recording the plat.
3. The developer must dedicate additional right of way for E 139th Street as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 50 feet of right of way as measured from the centerline, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department adjacent to this project.
4. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
5. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
6. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
7. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

8. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
9. The developer shall submit a preliminary buffer plan prior to approval of the Preliminary Plat in accordance with the Section 88-415 requirements.
10. The developer shall submit a final stream buffer plan to the Land Development Division for approval and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones, in accordance with the Section 88-415 requirements, prior to recording the Final Plat.
11. The developer must show and label the final stream buffer zones on the subdivision plat within a private open space tract, as required by Chapter 88 and Land Development Division, prior to recording the Final Plat.
12. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.
13. The developer must show the limits of the 100-year floodplain on the final plat, as required by the Land Development Division.
14. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: a. **Case No. 14546-P**
 b. **Case No. 14546-P-1**

APPLICANT: Jacqueline Foy
 BSA Life Structures
 11523 Ash St
 Leawood, KS 66211

OWNER: Children's Mercy Hospital
 2401 Gillham Rd
 Kansas City, MO 64108

LOCATION: Generally located west of Kenwood Ave between E 22nd St and E 23rd St

REQUESTS: a. To consider rezoning from District R-0.5 (Residential 0.5) to District DC (Downtown Core).
 b. To consider approval of a development plan allowing an 187,000

square foot office building in District DC (Downtown Core).

Mr. Joseph Rexwinkle, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked how people coming from Highway 71 would access the parking garage.

Mr. Rexwinkle answered there was full access at Kenwood; or come in from Holmes on the south side.

Chairwoman Macy asked to hear from the applicant.

Ms. Jackie Ploy, 111523 Ash Street, Leawood, Kansas; she agreed with the staff report and conditions and would answer any questions; they did agree to work with Mr. Rexwinkle on the north elevation.

Chairwoman Macy asked about the street-scaping for 22nd street.

Ms. Ploy said she had sent updated renderings to Mr. Rexwinkle; on the west elevation would be tall Maples and then north elevation there were flowering trees proposed 15 to 20 feet in height; there were trees proposed on all 4-sides of the building.

Chairwoman Macy asked about the connectivity to the park or trails.

Ms. Ploy answered that Children's Mercy when they acquired the lot directly west of the proposed project there was an agreement with Parks & Recs Department so when that building was built it would probably be only a 1-story building and part of that building was required to have community spaces available to the public; so that building would provide connection directly to the park on the west elevation.

Commissioner Burnette asked about the time line.

Ms. Ploy stated it was between 3 to 5 years; starting this summer.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 14546-P WITHOUT CONDITIONS and Case No. 14546-P-1 SUBJECT TO THE FOLLOWING CONDITIONS:**

At the same meeting, the Commission voted to RECOMMEND APPROVAL of the above-referenced Case No. 14546-P-1 to the City Council, subject to the following conditions:

1. That two (2) collated, stapled, and folded (to 8.5 by 11 in. size) hardcopies and one (1) digital

copy (CD containing a pdf file, a georeferenced monochromatic TIF file, and CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plane coordinate system) of the plans, **revised as noted below**, be submitted to Development Management staff (15th Floor, City Hall) for approval, prior to ordinance request showing:

- a. That the developer work with staff to revise the north and west elevations of the building and garage with regard to material and design in compliance with the recommendations of the Greater Downtown Area Plan.
- b. That the developer work with staff to revise the north and west elevations of the garage to provide proper screening as recommended by the Greater Downtown Area Plan and required by Sections 88-425-07-C and 88-425-07-D of the Zoning and Development Code.
- c. That a change in material, color and/or texture be specified and noted on the plans where sidewalks cross drives entering the proposed garage.
- d. That the location of all retaining walls be identified including their height and material of construction.
- e. That the location of all fences, if any, be identified including their height and material of construction.
- f. That the proposed uses, as stated and defined by the zoning and development code, be identified on the plan.
- g. That a lighting plan including photometric study and details on the proposed pedestrian lighting be provided.
- h. Provide landscape plan prepared by a landscape architect licensed in the State of Missouri and in compliance with Section 88-425 of the zoning and development code.

The following plan correction is recommended by the Land Development Division of City Planning and Development. For questions, please contact Brett Cox, P.E. at 816-513-2509 or brett.cox@kcmo.org.

- i. That the dimension the Right-of-Way for E 22nd St and E 23rd St be provided.

The following plan correction is recommended by the Public Works Department. For questions, please contact Gnani Mahalingam, P.E. at 816-513-9843 or gnani.mahalingam@kcmo.org.

- j. That the proposed median break on 22nd St at the north driveway be eliminated.

The following conditions are recommended by the Land Development Division of City Planning and Development. For questions, please contact Brett Cox, P.E. at 816-513-2509 or brett.cox@kcmo.org.

2. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer

system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat.

3. The developer must dedicate additional right of way for E 22nd Street as required by the adopted Major Street Plan and Chapter 88 so as to provide a minimum of 50 feet of right of way as measured from the centerline, and ensure right of way dedication is adequate for any proposed road improvements as required by Public Works Department adjacent to this project.
4. The developer shall verify vertical and horizontal sight distance for the drive connection to E 22nd St and E 23rd St and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
5. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
6. The developer submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, to identifying sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 4/8/09" and base on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.
7. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
8. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
9. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required. The developer is responsible for removal of the existing mid-block crosswalk on 22nd St located approximately 100 ft west of Kenwood Ave.

The following conditions are recommended by the Public Works Department. For questions, please contact Gnani Mahalingam, P.E. at 816-513-9843 or gnani.mahalingam@kcmo.org.

10. The developer is responsible for removal of the existing mid-block crosswalk on 22nd St located approximately 100 ft west of Kenwood Ave.
11. The developer is responsible for improving the existing intersection and traffic signals at 22nd St and Holmes St to meet ADA standards and Accessible Pedestrian Signals (APS) standards, as required by Public Works Department, including pedestrian crosswalks and ADA curb ramps.

The following conditions are recommended by the Fire Department. For questions, please contact John Hastings at 816-784-9110 or john.hastings@kcmo.org.

12. That no on-street parking shall be permitted along Kenwood Ave.
13. That the project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2012. (IFC-2012: § 507.1)
14. That buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC-2012: § 507.5.1.1)

Motion carried 7-0

VOTING AYE: Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY: None
ABSENT: Gutierrez

RE: Case No. 13266-UR-1

APPLICANT: Federal Reserve Bank
Kristie Lee
1 Memorial Drive
Kansas City, MO 64108

**APPLICANT'S
REPRESENTATIVE:** Lathrop & Gage, LLP
Jerry Riffel
2345 Grand Boulevard, Suite 2400
Kansas City, MO 64108

LOCATION: Generally located between 28th Street on the north, Main Street on the east, a line about 200 feet north of 30th Street (extended) on the south and Wyandotte Street on the west

AREA: About 16 acres

REQUEST: About 16 acres generally located between 28th Street on the north, Main Street on the east, a line about 200 feet north of 30th Street (extended) on the south and Wyandotte Street on the west, to consider an amendment to an existing Development Plan in District UR (Urban Redevelopment District) to allow for a new parking garage and other site modifications for the Federal Reserve Bank of Kansas City.

Commissioner Burnette recused.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked to hear from the applicant.

Mr. Jerry Riffel, Lathrop & Gage, representing the Federal Reserve Bank; he introduced Kelly Cox, Matt Maslonas, lead architect; co-counsel, Crystal Lee and Ingrid Wong; and Mr. Mark DeRand and they were prepared to answer any questions.

Mr. Riffel stated that the ratio in the current garage the square footage of the 1.5 spaces to 1,000 sq. ft. The 450 spaces would bring that ratio to 2.2 per 1,000 which they believed would be sufficient to handle the parking through 2017. It was a seamless expansion integrated with the existing garage; it was a secured garage because of the nature of the bank and the business of the bank; it was only for employees of the Federal Reserve Bank; it conformed to the grades in the park and blended in with the park itself. It preserved the use of downtown and the south area from the west; a lot of emphasis on the park setting by working with the Parks and Recs Department and others, especially John and Diane to be sure it remained that way.

Mr. Matt Masalonas stated they had 3 other criteria along with the general project goals to conform to the existing architecture; secondly, to be sure the facility that it was always originally intended to be there; and the third part, to make an architectural statement; they were creating landscape buffers along with walkways.

Commissioner Archie asked about the bike parking and wanted to know why it wasn't a good idea to have it.

Mr. Riffel stated the garage itself was secured so it was employees only; they currently had 12 long-term parking spaces which was employee driven; if it was needed to do considerably more but it hadn't been needed. They were trying to encourage more bicycle riding so they were adding 20; for a total of 32 which was less than the Code; more than sufficient of the actual usage so they would like to preserve as many parking spaces as possible. They didn't need short-term parking in the garage at all because there was no short-term parking of automobiles in the garage.

Chairwoman Macy opened up the discussion to the public.

Ms. Rosemary Howlett, 2940 Baltimore; any loss of green space in the Crown Center District and the Main Street Development Corridor and her own backyard concerned her. She would hope it would give them pause; it was hard to get that greenspace back once you gave it up. Her partner a retired physician and her have lived at the condominiums for two years and had spent many hours there; and much more utilized by residents with the museums and special events, etc. and walk, run or bike to the area on any given beautiful day, there were precious few parking spaces. Why was putting up an above-ground parking lot always were first; focused on a single occupant and it was past time to consider the bigger picture for that community.

Ms. Kelly Cox responded that over the last couple of weeks she had spent time meeting with the various neighbor groups and worked with them as well as Penn Valley Park staff as well as the World War I Museums; taking into considerations the concerns they had regarding parking being increased; as a result there was positive feedback from the meetings and were encouraged to hear they were looking towards a long-term solution. They also reached out to the condominium units, the Yellowstone Building; some of the residents unable to attend did call her and talked through their questions and through those conversations it was relatively positive feedback.

Vice Chair Archie moved and Commissioner May seconded the motion to **APPROVE Case No. 13266-UR-1 SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file,) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff (15th Floor, City Hall), prior to ordinance request showing:
 - a. Revise the required and provided short term and long term bicycle parking based upon the newly created vehicular parking spaces and include all of this corrected information on Sheet A000 and Sheet C1.01.
 - b. Sheet A 101, Include a key for all proposed landscaping
 - c. Sheet A101, the plan shows that 348 new parking spaces will be proposed but supplied narrative shows that 450 spaces will be provided. Please clarify.
2. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer secure permits to construct any improvements required by the Land Development Division prior to any certificate of occupancy.
3. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
4. That the developer provide for fire protection as required by the Fire Department.

5. The developer shall submit a final UR Development Plan for each project or phase of the development to the Director of City Planning and Development for approval prior to issuance of a building permit. The final UR Development Plan shall meet the development standards of Chapter 88-400 including; plan information; property uses; setback distances; lighting (with a photometric study); landscaping, including information on (i) species, planting size, and spacing of all trees and shrubbery; (ii) buildings and dumpster elevation drawings; (iii) fencing, if utilized, identifying material, color, height, setback and type, with an elevation drawing of a section; streetscaping; signage (including elevations); and architectural characteristics.

Motion carried 6-0

VOTING AYE: Archie, Baker-Hughes, Crawl, Martin, May, and Macy
VOTING NAY: None
RECUSED: Burnette
ABSENT: Gutierrez

RE: a) Case No. 702-S-1
b) Case No. 14554-MPD

APPLICANT: Brinshore Development LLC
Attn: Todd Lieberman
666 Dundee Road, Suite 1104
North Brook, IL 60062

PROPERTY OWNER: Kansas City Missouri Homesteading Authority
4900 Swope Parkway, 2nd Floor
Kansas City, MO 64130

**APPLICANT'S
REPRESENTATIVE:** Taliaferro & Brown, Inc.
Attn: Lamin Nyang
1020 E 8th Street
Kansas City, MO 64106

AREA: About 2.24 acres

LOCATION/REQUEST: a) Case No. 702-S-1 – About 2.24 acres generally located north of E 52nd Street between Mersington Avenue and Myrtle Avenue to consider the approval of an amendment to the Swope Area Plan by changing the recommended land use from Residential Low to Residential High and a revision to the area plan definitions to include this category.

b) Case No. 14554-MPD – About 2.24 acres generally located north of E 52nd Street between Mersington Avenue and Myrtle

Avenue to consider rezoning the site from District R-2.5 (Residential 2.5) and District UR (Urban Redevelopment District) to District MPD (Master Planned Development) and the approval of a Development Plan for residential uses.

Mr. John Eckardt, Staff Planner, presented the staff report and stated that staff recommended approval for reasons presented in the staff report.

Chairwoman Macy asked if they would get to see the elevations at any time.

Mr. Eckardt answered he didn't put those in this presentation, but he did have them so he display the elevations to the Commissioners; 3 to 4 stores, 1 to 2 bedroom units.

Chairwoman Macy asked to hear from the applicant.

Chairwoman Macy asked how they looked compared to the townhomes.

Mr. (name wasn't mentioned) answered there was definitely a contrast; townhomes were more traditionally designed than contemporary it was something they thought was a very nice design; they would have brick siding and landscaped open space; planter boxes, gazebo, walking paths, etc. There would also be a community lounge and a fitness room, a theater as well as a professional onsite management staff and would be 54 units.

They said they had met with the neighborhoods and sent out notices; turnout wasn't very good but they would continue they would reach out to the neighborhoods to keep people informed and would be a great addition to the neighborhood.

Commissioner Archie thought it would be good to keep have conversations with the community about road improvements, etc. and he would like as it connects to the community differently, the folks who have been there to be a part of that discussion and really help influence how the roads were upgraded.

Chairwoman Macy stated she felt that a 4-story, dense building wouldn't fit there; they were changing a density classification, and wanted to make sure it would fit there.

Mr. Eckardt stated there was already a lot of history on the property and her point was well-taken; there was pause in the long-range planning department about making a recommendation about a dense location; they had an MPD here with a plan so it would have to come back to you.

Commissioner May stated there were a couple of other senior living centers there in the area and they work very well there; but her concern was the appearance and was it consistent with what was there already; they did need the departments and the communities to actually look at plans before getting to this point. She also pointed out there was no one in the audience and thought it was strange that no one was there to either support or oppose the project.

Commissioner Martin asked about the Swope Area Plan and if its implementation team was involved.

Mr. stated he had letters of support from area neighborhoods and associations; and they had met with Swope being a part of this process. He thought this served a vital need and would be an important addition to the area and provides quality housing.

Chairwoman Macy opened up the discussion to the public.

No one appeared in opposition.

Vice Chair Archie moved and Commissioner Martin seconded the motion to **APPROVE Case 702-S-1 WITHOUT CONDITIONS and to APPROVE Case No. 14554-MPD SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That three (3) collated, stapled and folded copies (and a CD containing a pdf file,) of (a revised drawing /all listed sheets), revised as noted, be submitted to Development Management staff (15th Floor, City Hall), prior to ordinance request showing:
 - a. Revise the turn-around at the east end of E 52nd St to align with future extension of Myrtle Ave, south of 52nd St.
 - b. Revise the storm sewer in E 52nd St to allow for the future extension of Myrtle Ave, south of 52nd St.
 - c. Verify the proposed grading along Myrtle Ave will allow for construction of the road without affecting the site.
 - d. Revise the Typical Section for E 52nd St to show CG-2 curb and gutter.
 - e. Revise grading to remove the proposed 3:1 slope in Mersington Ave and 52nd St R/W. Slope from back of curb is to be 2%.
 - f. Remove the 20' Storm Drainage Easement on Tract A of Mount Cleveland.
 - g. Revise 52nd St storm sewer connection to the existing storm sewer in Mersington to be outside of the pavement area. Connect to existing storm MH located to the north.
 - h. Show a 15 ft radius of the R/W at the NE corner of Mersington and 52nd St.
 - i. Show construction of ADA ramps at the intersection of Mersington Ave and 52nd St.
 - j. Include the required and proposed amount of short and long term bicycle parking on Sheet C001.
 - k. All sheets, State that 51st Street Terrace is E 51st Terrace and that 52nd Street is E 52nd Street.
 - l. Sheet L100, That the landscaping plan be stamped by a Landscape Architect.
 - m. Sheet L100, Include street trees/buffer trees and parking lot buffer shrubs as required by Section 88-425 along the east side of the parking lot along the entire frontage of Myrtle Avenue.
 - n. Sheet L100, Show the dimensioning of the Garden area, remove the word potential, state that the area is 0.20 acres and is open space for parkland purposes and state that the uses will be for a fountain, pergola, landscape garden, seating, etc.

2. *Conditions 2. - 16. per City Planning & Development, Land Development Division (Brett Cox, brett.cox@kcmo.org)*
3. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
4. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
5. The developer must subordinate to the City all private interest in the area of any right-of-way dedication, in accordance with Chapter 88 and as required by the Land Development Division, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
6. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
7. The developer must petition for the vacation of E 51st Terrace as shown on the development plan and relocate sewers as required by the Departments of Water Services, the Land Development Division, and Development Services prior to recording of the final plat.
8. That East 52nd Street shall be improved to local residential standards along the plat frontage as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Temporary or Final Certificate of Occupancy, whichever occurs first.
9. The developer must dedicate additional right of way for Myrtle Ave as required by Chapter 88 so as to provide a minimum of 25 feet of right of way as measured from the centerline, along those areas being platted, and Myrtle Avenue shall be improved to local residential standards along the plat frontage as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement or enter into an

Unsecured Deferral Agreement for the right-of-way dedication and improvements prior to recording the plat or prior to issuance of a Temporary or Final Certificate of Occupancy, whichever occurs first.

10. The developer must construct temporary turn-around and grant a city approved temporary cul-de-sac easement, for that portion outside of the dedicated street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
11. The developer shall verify vertical and horizontal sight distance for the drive connection to E 52nd Street and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met.
12. The developer submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, for Mersington Ave., and construct associated ADA ramps as necessary.
13. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
14. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
15. The developer shall submit an analysis to verify adequate capacity of the existing sanitary sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
16. The developer must secure permits to extend storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
17. The developer must enter into a covenant agreement for the maintenance of any stormwater detention area tracts as required by the Land Development Division, prior to recording the plat.
18. *Condition 17. per Fire Marshal's Office, John Hastings, (John.Hastings@kcmo.org)*
19. That the developer provide for fire protection as required by the Fire Department.

20. *Condition 18. per Heather Massey, Water Services Department, (Heather.Massey@kcmo.org)*

21. That the developer extend water mains as required by the Water Services Department.

22. *Conditions 19 - 22. per John Eckardt, City Development Department, (John.Eckardt@kcmo.org)*

23. That within 30 days of approval of a preliminary development plan by the city council, the landowner must file with the appropriate recorder of deeds office a statement that such a plan: (1) has been filed with the city plan commission; (2) has been approved; (3) that the MPD preliminary development plan is applicable to certain specified legally-described land; and (4) that copies of the plan are on file in the city planning and development department. The statement recorded with the recorder of deeds must also specify the nature of the plan, the proposed density or intensity of land use and other pertinent information sufficient to notify any prospective purchasers or users of the land of the existence of such a plan and further include all information as required by Section 88-520-03-H.

24. That the developer contribute \$ \$7,574.75 or a rate of \$140.27 per unit, in lieu of parkland dedication for 54 multifamily units in satisfaction of Section 88-405-17 of the Zoning and Development Code, calculated as follows:

25. $54 \text{ MF units} \times 2 \text{ persons/unit} \times 0.006 \text{ acres/person} = 0.648 \text{ acres}$

26. $0.648 \text{ acres} - 0.20 \text{ acres (of garden area)} = 0.448 \text{ acres} \times \$16,907.93 = \$7,574.75$ or \$140.27 per unit.

27. That the developer submit Final development plan with the city planning and development department after approval of and before the lapse of a preliminary development plan. The site plan shall include information regarding: property uses, setback distances, lighting (photometrics plan showing zero footcandles at the property line), landscaping and architectural characteristics, berms, trees and plantings around and within the parking lots; show proposed pedestrian circulation; and include elevation drawings of buildings and signage.

28. That the developer submit a street tree planting plan to the Parks and Recreation Department for approval prior to the approval of a final plat.

Motion carried 7-0

VOTING AYE:	Archie, Baker-Hughes, Burnette, Crawl, Martin, May, and Macy
VOTING NAY:	None
ABSENT:	Gutierrez

OTHER MATTERS:

Election of Vice-Chair: Nominations were opened; Commissioner Martin nominated Commissioner Crowl; Commissioner May nominated Commissioner Archie.

Discussion was held on how to proceed, i.e. with vote of hands, private ballot; Ms. Moran stated she would check into the rules and notify the members.

This matter was put on hold until the May 19, 2015 meeting date.

There being no further business, Chairwoman Macy adjourned the meeting at 1:00 p.m.

Respectfully submitted,

John Eckardt
Acting Assistant Secretary

APPROVED:

Babette Macy, Chairwoman